

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SCANSOFT, INC.

Plaintiff,

v.

VOICE SIGNAL TECHNOLOGIES, INC.,
LAURENCE S. GILLICK, ROBERT S.
ROTH, JONATHAN P. YAMRON, and
MANFRED G. GRABHERR,

Defendants.

C.A. No. 04-10353-PBS

**ASSENTED TO MOTION FOR LEAVE TO FILE REPLY BRIEF AND SUPPORTING
DECLARATION IN SUPPORT OF MOTION TO COMPEL DEFENDANT VOICE
SIGNAL TECHNOLOGIES, INC. TO CREATE A COMPLETE SCREENING WALL
BETWEEN THIS ACTION AND THE RELATED ACTION RECENTLY FILED BY
DEFENDANT IN THE WESTERN DISTRICT OF PENNSYLVANIA**

Pursuant to Local Rule 7.1(b)(3), plaintiff ScanSoft hereby respectfully seeks leave to file a Reply Brief and the Declaration of Richard Mack in support of ScanSoft's Motion to Compel Defendant to Create a Complete Screening Wall Between This Action and the Related Action Recently Filed By Defendant in the Western District of Pennsylvania ("ScanSoft's Motion for a Screening Wall") (DI-431).

The proposed Reply Brief and Declaration demonstrate how – contrary to the representations made in VST's Opposition – VST is using the Pennsylvania litigation for "business purposes" in a manner that the Court has already determined "really is not kosher." See May 5 Hearing Transcript (DI-395), at 8-9. Specifically, VST's Vice President of Marketing Communications directly contacted the financial and equities analysts that cover Nuance to

provide information about the Pennsylvania litigation, including advance notice of VST's November 9, 2006, press-release. The proposed Declaration of Richard Mack even attaches some of the correspondence between VST and the analysts.

This additional information should be considered because it refutes VST's inaccurate claim that "the circumstances leading up to this Court's May 5 Order were unusually suspicious," and that "Nuance has not and cannot point to such circumstances here." See VST's Opposition at 2. Rather, VST is using the Pennsylvania action to pressure Nuance in a manner that has already troubled the Court. See May 5 Hearing Transcript (DI-395), at 8-9 and 13.

WHEREFORE, ScanSoft respectfully requests that this Court grant this motion to allow ScanSoft to file its Reply Brief (attached hereto as Exhibit 1) and the Declaration of Richard Mack (attached hereto as Exhibit 2).

Dated: December 22, 2006

Respectfully submitted,

By: /s/ David Greenbaum
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Attorneys for ScanSoft, Inc.

CERTIFICATE PURSUANT TO LOCAL RULE 7.1

I certify that counsel for ScanSoft conferred with counsel for VST in an effort to resolve the issues presented in this motion, and counsel for VST has assented to this motion.

/s/ David Greenbaum

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on December 22, 2006, pursuant to Local Rule 5.4.

/s/ Matthew Corwin